

## REMARKS

Claims 1-21 are pending in the instant application. Claims 1-21 have been rejected by the Examiner. Claims 1, 5, 6, 8, 12, 13, 15, and 20 have been amended and claims 2, 3, 9, 10, 16, and 17 have been cancelled without prejudice or disclaimer. The Applicant submits that claims 1, 4-8, 11-15, and 18-21 are in condition for allowance and respectfully requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

### *Claim Rejections Under 35 USC §112*

Claims 1-21 stand rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claims 1-21 have been rejected due to antecedent basis issues. Claims 2, 9, and 16 have been cancelled rendering the rejections thereof moot. Claims 5, 6, 12, 13, 15, and 20 have been amended to correct the antecedent basis issues. The Applicant submits that claims 1, 4-8, 11-15, and 18-21 provide proper support in view of 35 U.S.C. 112, second paragraph.

### *Claim Rejections Under 35 USC §102*

Claims 1-21 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 20030158777 to Schiff, et al. (hereinafter "Schiff"). Claims 2, 3, 9, 10, 16, and 17 have been cancelled and their features incorporated into respective independent claims 1, 8, and 15. Thus, no new matter has been entered by these amendments. The Applicant respectfully traverses the outstanding rejections of claims 1, 4-8, 11-15, and 18-21 for at least the reasons presented herein.

Claim 1, as amended, recites, *inter alia*, "**storing selections**, associated with the computer, **that relate to each of a plurality of applications**, the selections including a priority level, and at least one mode of presentment selected by a user via a user interface on the computer;

indexing data relating to activities previously conducted on said computer;

storing indexed data in a database;

upon receiving content associated with activities currently conducted on said computer via one of the applications, accessing said indexed data from said database;

accessing said selections relating to said application, priority level, and said at least one mode of presentment;

***comparing said content with said selections and the indexed data, resulting in a relevance determination; and***

performing an action on said content in accordance with said relevance determination and said selections;

wherein the ***applications include a messaging application, a web browser application, and a word processing application.***”

These features are not disclosed by Schiff or in the art as a whole. Schiff is directed to a system for displaying messages with commercial value to a user (Abstract). As shown, e.g., in Figure 1, Schiff teaches a system in which a user registers (portfolio), which has a “list of advertisers and/or other users that he wishes to receive messages from” (paragraph [0083]) and is implemented by naming “the companies from which he wishes to get messages” (paragraph [0084]). By contrast, the applicant’s claimed invention performs an action on content based upon user selections and priorities (claim 1) where the content includes web pages, advertisements, email, instant messages, and documents (claim 4). The action performed can vary based upon the application. Claim 1 recites the applications including messaging applications, web browser applications, and word processing applications. Schiff is unconcerned about taking actions based upon various applications executing on a user’s computer. Rather, Schiff is focused primarily on targeting sources of information to be displayed to the user based upon the user’s portfolio, where the sources of information are companies providing advertising, product information to the user. Thus, Schiff is entirely devoid of performing actions that relate to other types of applications (e.g., a word processing application).

For at least these reasons, the Applicant submits that claim 1 is patentable over Schiff.

Independent claims 8 and 15 have been amended in a substantially similar way as claim 1. For at least the reasons advanced above with respect to claim 1, the Applicant submits that claims 8 and 15 are in condition for allowance. Claims 4-7 depend from what should be an allowable claim 1. Claims 11-14 depend from what should be an allowable claim 8. Claims 18-21 depend from what should be an allowable claim 15. For at least these reasons, the Applicant submit that claims 4-7, 11-14, and 18-21 are in condition for allowance and respectfully request reconsideration.

### CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicant. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that claims 1, 4-8, 11-15, and 18-21 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 09-0463.

Respectfully submitted,  
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